

## Message Text

CONFIDENTIAL

PAGE 01 KATHMA 05621 231214Z  
ACTION NEA-10

INFO OCT-01 HA-05 ISO-00 SSO-00 CIAE-00 INR-07 NSAE-00  
PM-05 NSC-05 SP-02 SS-15 IO-13 INRE-00 /063 W  
-----002423 231220Z /14

O 231114Z DEC 77  
FM AMEMBASSY KATHMANDU  
TO SECSTATE WASHDC IMMEDIATE 0526

C O N F I D E N T I A L KATHMANDU 5621

E.O. 11652: GDS  
TAGS: SHUM, NP  
SUBJECT: POLITICAL PRISONERS - NEPAL HUMAN RIGHTS REPORT

REF: STATE 289424 AND TEXTS OF HUMAN RIGHTS REPORTS

FOR NEA/INS PERCIVAL

1. BELIEVE SOME MODIFICATION OF "ARBITRARY ARREST OR IMPRISONMENT" SECTION IS DESIRABLE IN BOTH CLASSIFIED AND UNCLASSIFIED VERSIONS. THE NUMBER OF PERSONS HELD UNDER THE PUBLIC SECURITY ACT VARIES FROM TIME TO TIME, BUT IS CURRENTLY RELATIVELY SMALL. OUR BEST ESTIMATE IS NO MORE THAN 50, BUT WE THINK IT WOULD BE BEST TO AVOID MENTION OF ANY SPECIFIC FIGURE. IN ADDITION, REFERENCE TO B.P. KOIRALA IN THE CONFIDENTIAL VERSION AS IT NOW STANDS IS MISLEADING IN THAT HE IS NOT RPT NOT NOW BEING HELD UNDER THE PUBLIC SECURITY ACT.
2. SUGGEST THAT THIRD SENTENCE OF UNCLASSIFIED VERSION BE DELETED AND LAST SENTENCE BE REPLACED WITH FOLLOWING:  
"ONLY A SMALL NUMBER OF PERSONS CONTINUE TO BE TECHNICALLY HELD UNDER THE SECURITY ACT, BUT APPROXIMATELY 100 CURRENT PRISONERS HELD UNDER CRIMINAL STATUTES MAY  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 KATHMA 05621 231214Z

HAVE BEEN ARRESTED FOR POLITICALLY-INSPIRED ACTIONS."

3. SUGGEST THAT CLASSIFIED VERSION OF SAME PARAGRAPH BE CHANGED TO READ AS FOLLOWS: "THE PUBLIC SECURITY ACT OF 1961 PROVIDES FOR PREVENTITIVE DETENTION AND 'OTHER MEASURES' AS MAY BE REQUIRED TO 'MAINTAIN PEACE AND SECURITY'. OPPONENTS OF THE MONARCHY HAVE IN THE

PAST BEEN JAILED WITHOUT KNOWING THE CHARGES AGAINST THEM OR HAVING RECOURSE TO LEGAL APPEAL FOR LONG PERIODS OF TIME. THE BEST KNOWN OPPOSITION LEADER, FORMER PRIME MINISTER B.P. KOIRALA, WAS HELD FOR EIGHT YEARS DURING THE 1960'S, REARRESTED ON SEVERAL CRIMINAL CHARGES LAST DECEMBER WHEN HE RETURNED TO KATHMANDU FROM SELF-EXILE IN INDIA, AND THEN TEMPORARILY RELEASED FOR MEDICAL TREATMENT IN THE U.S. RECENTLY HE WAS AGAIN DETAINED ON CHARGES AFTER HIS RETURN TO KATHMANDU. THE PRIME MINISTER OF NEPAL HAS SAID THAT HENCEFORTH ONLY PERSONS CHARGED WITH SPECIFIC CRIMINAL OFFENSES WILL BE KEPT IN JAIL, BUT PREVENTIVE DETENTION IS STILL BEING USED, THOUGH MORE SPARINGLY, AGAINST SOME WHO VIOLATE THE GROUND RULES FOR ACCEPTABLE POLITICAL ACTIVITY. WHILE ONLY A FEW CONTINUE TO BE TECHNICALLY HELD UNDER THE SECURITY ACT, APPROXIMATELY, 100 CURRENT PRISONERS ARRESTED UNDER CRIMINAL STATUTES MAY HAVE HAD THIS ACTION TAKEN AGAINST THEM ON POLITICAL GROUNDS."

4. ASSUME WE WILL HAVE OPPORTUNITY TO COMMENT ON FINAL DRAFTS OF CEP'S FOR NEPAL BEFORE THEY ARE SUBMITTED.

HECK

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** HUMAN RIGHTS, POLITICAL PRISONERS, PRISONERS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 23-Dec-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977KATHMA05621  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770479-0844  
**Format:** TEL  
**From:** KATHMANDU  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19771222/aaaaaskr.tel  
**Line Count:** 84  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 2cc4cafd-c188-dd11-92da-001cc4696bcc  
**Office:** ACTION NEA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 STATE 289424  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 24-Feb-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 140568  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** POLITICAL PRISONERS - NEPAL HUMAN RIGHTS REPORT  
**TAGS:** SHUM, NP  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/2cc4cafd-c188-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009